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National Security Report

Background and Perspective on Important National Security and Defense Policy Issues,

Written and Produced by

Alfred Spence

Volume 1, Issue 3

Chairman, House National Security Committee

May 1997

From the Chairman...

Dear Mr. President,

As you head to the summit with President Boris Yeltsin in Helsinki, we write to voice our strong opposition to U.S.-Russian negotiations which would restrict U.S. theater missile defense systems.



Reports indicate that the Administration has put forward proposals which would limit development and deployment of key theater missile defense systems. We believe such limits would impose

The Helsinki Summit

unacceptable constraints on our ability to protect U.S. troops from ballistic missile attack and undermine national security interests. Members of the Joint Chiefs of Staff have expressed similar concerns.

The proposals reportedly put forth by the Administration, if agreed to, would constitute substantive changes to the ABM Treaty. If an agreement were eventually reached, it would by law require congressional review and approval. We would not look favorably on any agreement to expand the ABM Treaty and thereby jeopardize U.S. security interests.

Rather than using the summit to continue negotiations on theater missile defense limitations, we urge you not to initiate discussions that will limit either nation's ability to defend its forces against newly emerging threats.

—Letter to the President from
Chairman Spence and other
Members of Congress

The Helsinki Summit: Arms Control Triumph or Tragedy?

At their recent summit in Helsinki, President Clinton and Russian President Yeltsin reached agreement on several arms control issues. Two of the most significant involve the relationship between the 1972 U.S.-Soviet Anti-Ballistic Missile (ABM) Treaty and theater missile defenses (TMD) and further reductions in strategic nuclear weapons.

Theater Missile Defenses and the ABM Treaty

The White House described the TMD agreement as a "major breakthrough." However, outside observers, including many in Congress, believe the deal struck

in Helsinki may hinder the U.S. ability to develop and deploy advanced theater missile defense systems to protect U.S. troops abroad from ballistic missile attacks — attacks like the Iraqi SCUD missile that killed 28 American soldiers during the 1991 Gulf War. The Helsinki agreement has also been criticized by some as

placing significant obstacles in the path of the development and deployment of an effective missile defense system to protect the American people from the threat of ballistic missile attack.

In the March 21, 1997 Joint Statement issued by both Presidents, they declare it is their "common task to preserve the ABM Treaty, prevent circumvention of it, and enhance its viability." The Joint

Statement declares the treaty, which was crafted twenty five years ago to prevent the deployment by the United States and Soviet Union of missile defenses for their own populations, to be "a cornerstone of strategic stability." Much of the missile defense debate in Congress over the past several years has focused on whether the ABM Treaty, negotiated during the height of the Cold War, has become obsolete in light of the evolving nature of both technology and post-Cold War threats.

The ABM Treaty restricts the development, testing, and deployment of a defense against long-range "strategic" ballistic missiles. It has never limited

defenses against shorter-range "theater" ballistic missiles (i.e., theater missile defenses). However, as technology has improved, the line between "strategic" and "theater" systems has blurred. Consequently, for several years the Clinton Administration has sought to negotiate a demarcation agreement with

Russia that would clarify the distinction between permitted and prohibited missile defenses. However, the agreement reached in Helsinki goes beyond ABM Treaty clarification and imposes, for the first time, restraints on theater missile defense systems designed to protect U.S. military personnel abroad. In essence, the agreement expands the treaty into areas and technologies never envisioned twenty five years ago.



Background Brief

Although the United States and Russia concluded an agreement on slower TMD systems last year, the Russians refused to sign it until an agreement was reached

“We would not look favorably on any agreement to expand the ABM Treaty and thereby jeopardize U.S. security interests.”

—Speaker Gingrich, Majority Leader Armev, and HNSC Chairman Floyd Spence,
3/19/97 Letter to President Clinton

on faster, more advanced systems. This was the focus, therefore, of the Helsinki TMD agreement. The Joint Statement issued in Helsinki reiterates the elements of last year's agreement on slower TMD systems and sets forth principles for agreement on future faster TMD systems. These principles include a joint understanding that target missiles will not travel faster than 5 kilometers per second, nor have a range in excess of 3,500 kilometers; a commitment not to develop, test, or deploy, space-based TMD systems; and a pledge to exchange detailed information on TMD plans and programs on an annual basis. In addition, the statement declares that disputes over TMD activities will be resolved in the Standing Consultative Commission, a forum established to discuss ABM Treaty compliance issues.

Many in Congress have reacted to the Helsinki agreement with concern. In a letter to the President prior to the Helsinki summit, House Speaker Newt Gingrich, Majority Leader Dick Armev, and several committee chairmen stated their “strong opposition to U.S.-Russian negotiations which would restrict U.S. theater missile defense systems.” Another letter, signed by the House Republican leadership, warned that limitations on theater missile defenses “would gravely compromise our ability to protect U.S. citizens, troops, and allies from terrorist missile attacks.”

Administration spokesmen contend that the TMD agreement will not restrict ongoing U.S. TMD programs. However, critics of the accord point to several key restrictions that could impede the

capability of future U.S. TMD systems. In particular, the prohibition on space-based TMD systems may foreclose promising future missile defense technologies. In addition, the agreement reiterates an earlier understanding that the “number and geographic scope” of TMD deployments “will be consistent with” the theater ballistic missile threat faced by both sides. This could lead to restrictions on where U.S. theater missile defense systems may be based and, therefore, who they will and will not be able to defend.

Importantly, the Helsinki agreement also has major implications for defending the American people. For example, the commitment in Helsinki to “prevent circumvention” of the ABM Treaty and “enhance its viability” reflects the Administration's belief that Americans are best protected from ballistic missile attack by arms control agreements and not by actual defenses. A corollary agreement with Russia reached last year to “multilateralize” the ABM Treaty by including other former Soviet states as legal parties to it will make defending the American people more difficult in the future, since amendments to the treaty require the unanimous consent of the parties. Without the ability to revise the treaty, revisions that will now require the consent of numerous countries mean that the U.S. national missile defense program is unlikely ever to lead to deployment of a system, thus leaving Americans vulnerable to ballistic missile attack indefinitely.

While the Administration has agreed that the TMD demarcation agreement is a substantive change to the ABM Treaty, and therefore to submit the final accord

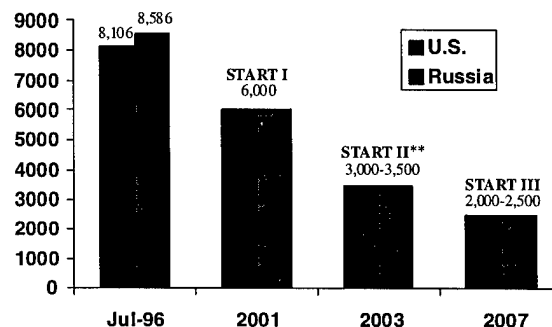
to the Senate for its advice and consent, it has declared its intent to implement unilaterally, without Congressional review or approval, any agreement on multilateralization of the ABM treaty. The Administration asserts that adding more signatories to the treaty is an issue of treaty succession, not a substantive amendment, and that it is “a function of the Executive Branch.” However, critics see the Administration's action as an attempt to bypass Congress' legitimate treaty-related prerogatives.

Strategic Arms Reductions

The White House also described as a major breakthrough the Helsinki “Joint Statement On Parameters On Future Reductions In Nuclear Forces.” The Joint Statement outlines the main provisions of a third Strategic Arms Reduction Treaty (START III), to be negotiated in detail if Russia's legislative body (the Duma) ratifies START II. Since the START II treaty was signed in 1993, the Duma has refused to ratify it.

To encourage Russian START II ratification, in Helsinki the Administration agreed to give the Russians more time to dismantle their multiple-warhead intercontinental ballistic missiles (ICBMs). The Duma has complained about the cost of dismantling missiles and nuclear weapons within the START II time constraints. The Administration also agreed to further reductions in strategic nuclear weapons from the START II levels of 3,000-3,500 to 2,000-2,500 under START III, a goal Moscow has sought for years. The Duma has also complained that dismantling multiple-warhead ICBMs will reduce Russia's number of strategic nuclear weapons below START II levels,

START Accountable Weapons



** Due to START III parameters agreed upon at Helsinki which extend time for dismantlement of missiles and launchers, START accountable weapons may exceed the numbers shown here.

compelling Russia to spend scarce resources on new strategic missiles and warheads in order to "build up" to START II levels. Reducing to START III levels, the Administration argues, will lessen the need for strategic forces modernization programs that Moscow continues to pursue nonetheless.

By agreeing in advance to the parameters of START III in an effort to persuade the Duma to ratify START II, critics contend that the Administration has for all practical purposes re-negotiated the START II Treaty and made significant, unreciprocated concessions to the Russians. These concessions could dilute important achievements of START II, such as Russia's agreement to eliminate its multiple-warhead SS-18 ICBM. The SS-18 is generally regarded as Russia's most powerful missile. It is also considered highly destabilizing because its basing in vulnerable silos could press Moscow to "use or lose" these missiles in a crisis.

At Helsinki, President Clinton agreed to allow the Russians an extra year to "deactivate" the SS-18s by removing their warheads "or taking other jointly agreed steps," and an extra four years to eliminate the SS-18 missiles themselves. This raises the possibility that SS-18s with warheads

could remain in the Russian inventory for an extra four years (until December 31, 2007) beyond dates dictated by START II. Administration spokesmen insist that the burden of proof is on the Russians to demonstrate that SS-18s armed with warheads past 2003 are in fact deactivated. But skeptics suggest the Russians will argue that their missiles can be "deactivated" without removing the warheads and that the Administration may agree to less verifiable deactivation measures that can be more easily manipulated by the Russians.

More fundamentally, the longer Russia is allowed to retain SS-18s, the greater is the possibility that some future Russian regime may decide that this unique weapon system is indispensable to Russia's superpower status and security. This argument is already being articulated by members of the Russian Duma and the Russian military.

Some have also questioned whether further reducing nuclear weapons below START II levels will in fact enhance stability and reduce the nuclear threat. Brent Scowcroft and Arnold Kanter, former national security advisors to Presidents Bush and Ford, stated in a recent article: "It is not at all clear that

reducing strategic forces would enhance stability. On the contrary, current force levels provide a kind of buffer because they are high enough to be relatively insensitive to imperfect intelligence and modest force changes....But as force levels go down, the balance of nuclear power can become increasingly delicate and vulnerable..."

In a January 1997 interview, U.S. Strategic Command's Commander in Chief, General Eugene Habiger, raised similar concerns that reductions in strategic weapons below START II might prove destabilizing. James Scouras, an independent strategic analyst for several Washington-area think tanks and government agencies, concluded in a recent study, "Thinking Beyond START II," that START II and START III reductions may cut too deeply into the retaliatory capabilities of each side and increase incentives for striking first in a crisis or conflict. Scouras notes asymmetries in U.S. and Russian threat perceptions, nuclear doctrine, and strategic force structures that could make the future strategic balance under START II and III less stable and more dangerous than was even the case during the Cold War.

Beyond the issues raised by the Helsinki agreements on missile defenses and strategic force reductions, there has been little discussion about the broader issues and implications of these arms control agreements in a changing post-Cold War world. For example:

Issues & Analysis

U.S.-Soviet context. However, China is currently developing a more modern nuclear arsenal with Russian technical assistance. By making the limitations in the START treaties permanent, the United States will be less able to respond to a possible Chinese deployment of multiple-warhead ICBMs in the future.

1. The TMD agreement prohibits the deployment by either side of TMD systems directed against the other. This will deny NATO members an important defensive benefit under Article V of the NATO charter. Russia may seek to raise objections to U.S. TMD systems deployed in Western Europe or Asia on the grounds that such deployment would constitute an illegal defense against Russian missiles. Such a development would undermine ongoing U.S. efforts to build an allied consensus on the need for TMD and could even leave U.S. forces defenseless in some circumstances.

2. The TMD agreement committing the sides to "exchange detailed information annually on TMD plans and programs" may provide Russia with sensitive information regarding U.S. TMD programs. It is also likely to give Moscow an opportunity to object to future U.S. missile defense programs early in their research and development phase.

3. The commitment to "making the current START treaties unlimited in duration" reflects a U.S. willingness to be bound permanently to treaty restrictions that were negotiated in a

4. When and if the United States and Russia draw down their strategic offensive weapons to START III levels, Russia's unilateral possession of key missile defense capabilities — such as the world's only operational ABM system and a vast network of nuclear blast shelters — could confer increasingly important operational advantages over the United States.

5. START III's lower weapon levels are unlikely to slow the current aggressive pace of Russian nuclear modernization programs, which include development of a new ICBM, a new submarine-launched ballistic missile, and an advanced cruise missile. Recent commentary by Russian political and military leaders indicates that these new programs are being pursued, not because of a requirement to "build up" to START II levels, but to support a new military doctrine that relies heavily on nuclear weapons in the face of Russia's deteriorating conventional forces. Consequently, START III will lead to a smaller, yet more modern and capable, Russian strategic nuclear force. The United States, in contrast, is currently not developing any new nuclear weapons.

Update

A study prepared by a Defense Science Board Task Force concludes that American ground troops in Bosnia have been burdened by an overabundance of relatively useless intelligence information. The report praises improvements in intelligence operations in Bosnia, but notes that "we need to make sure that we don't saturate the warrior with data while starving him of useful information." The Task Force also notes that "human intelligence is not available to the warfighter in a timely fashion" and "does not flow easily up the chain of command."

Western and Bosnian sources state that indicted Bosnian Serb war criminal Radovan Karadic is making millions of dollars through the operation of two companies he controls with Momcilo Krajisnik, the Bosnian Serb member of the country's rotating presidency. Revenue from the enterprises is reportedly used to augment the salaries of the Bosnian Serb police and does not flow into the Bosnian government treasury.

Three Bosnian Muslims and one Bosnian Croat go on trial at the Hague for war crimes. The four are charged with committing more than a dozen murders and other atrocities that are believed to have occurred at a prison camp in Celebici, southwest of Sarajevo. The trial is expected to last for several months.

United Nations officials express concern over Germany's plan to repatriate Bosnian refugees. Some 300,000 refugees are in Germany and international relief officials contend that their return to Bosnia would inflame ethnic tensions and lead to increased violence.

House National Security Committee Chairman Floyd Spence (R-SC) releases a detailed report identifying deficiencies in the current state of U.S. military readiness. He notes that "years of declining defense budgets, a smaller force structure, fewer personnel and aging equipment coupled with an increase in the number of peacekeeping and humanitarian operations are stretching U.S. military forces to the breaking point."

House Republican leaders criticize the Helsinki summit agreement reached by Presidents Clinton and Yeltsin regarding theater missile defense limitations. Curt Weldon, Chairman of the House National Security Committee R&D Subcommittee, says the agreement "will inevitably result in the dumbing down of theater missile defense systems, putting the lives of our soldiers at greater risk." Bob Livingston, Chairman of the House Appropriations Committee, notes that "we had no idea they [Clinton and Yeltsin] would sign off on agreements to virtually leave us defenseless against anyone who's not a party to them."

The United States suspends foreign assistance – including so-called Nunn-Lugar aid – to the former Soviet republic of Belarus as a result of human rights violations.

The United States Senate approves the Chemical Weapons Convention, days before the treaty enters into force.

Russian President Boris Yeltsin and Belarussian President Alexander Lukashenko sign an agreement providing for a closer union between the two states

in matters of domestic and foreign policy. The agreement calls for stronger integration of the two countries' economic policies, harmonized legislation, and greater cooperation in defense policy and border protection.

The Duma, Russia's lower house of parliament, creates an anti-NATO commission to review issues related to NATO's eastward expansion and to promote anti-NATO activities by the Duma. The commission consists of 15 Duma members representing all of Russia's various political factions.

According to Western reports, Russia has developed three new deadly nerve agents from chemical ingredients not banned by the Chemical Weapons Convention. In addition, a more lethal anthrax toxin – said to be completely resistant to antibiotics – has also been developed by Moscow. One day after the U.S. Senate approves the Chemical Weapons Convention, the Russian Duma refuses to do so. Vladimir Lukin, Chairman of the Duma's Foreign Affairs Committee, explains Russia's reluctance to destroy its chemical weapons stockpile by stating, "It's simple. There's a lack of cash."

The head of Russia's main arms export agency, Rosvooruzhenie, says that Russian arms exports this year will reach \$4 billion, an increase over last year's \$3.5 billion.

Canadian authorities arrest a suspect in the bombing of the Khobar Towers complex in Saudi Arabia last year. Hani Abdel Rahim al-Sayegh, a Saudi national, is said by Canadian authorities to be a member of the Saudi Hezbollah dissident group and is thought to have been the driver of the getaway vehicle used in the terrorist attack.